



Federal Communications Commission
Washington, D.C. 20554

December 19, 2014

Ms. Jerry Dunson
Christian Video Ministries, Inc.
P.O. Box 1466
San Antonio, TX 78295-1466

Re: Case Identifier: CGB-CC-0235
CG Docket No. 06-181
Petition for Closed Captioning Exemption
Request for Supplemental Information

Dear Ms. Dunson:

This letter concerns your Petition for exemption from the Federal Communications Commission's (FCC's) closed captioning requirements. After reviewing your Petition, the Consumer and Governmental Affairs Bureau (Bureau) has determined that additional information, as set forth below, is required to enable us to determine whether the programming that is the subject of your Petition should be exempted from the FCC's closed captioning requirements because captioning such programming would be economically burdensome to your organization.

Specifically, your Petition included information about impact of captioning on your operation and program and described your overall type of operations and budget. We conclude, however, that because your Petition is missing required information, we cannot take further action on it.

If you wish for your Petition to receive further consideration for a closed captioning exemption, you must supplement your Petition by providing us with the information described below **by January 20, 2015**, which is 30 days from the date of this letter:

- The nature and cost of the closed captions for the programming. Provide information about your organization's costs associated with closed captioning each specific program for which you are requesting an exemption, and your efforts to find companies that can provide captioning at a reasonable cost.
 - Include documentation for two or more recent quotes you received from closed captioning services to provide closed captioning specifically for your program(s). "Recent" means a quote you obtained within one year of the date of your petition.

You have not satisfied this requirement. There are three areas in which we need clarification or supplementation.

Caption Lab Quote: *You provided quotes from two closed captioning services, but the quote from Caption Labs was not dated. **You need to provide a dated, recent quote from Caption Labs or another service.***

Dubbing Expenses: *In addition, you state that you will incur dubbing costs associated with closed captioning your programs. **However, we need further explanation or a correction of your estimate for dubbing.** You state that the "dubbing" costs per master for the five*

necessary copies of the 175 masters is \$127.75 each, for a total of \$22,356.25. We are unclear how you arrived at this figure. Based on the estimate from Matson Multimedia of July 9, 2014 (July 10, 2014 Supplement), we conclude the dubbing costs for five copies per master is \$137.75 (5 x \$25 @ to copy = \$125; 5 x \$2.55 @ for printing text information onto each disc = \$12.75; for a total of \$137.75). This total, \$137.75, when multiplied by 175 masters, would come to a total of \$24,106.25, which is not the figure you cite in your most recent supplement..

*Postage: You state in your letter that, based on the Caption Labs estimate, the least expensive shipping option for all of your programs would be approximately \$6,125 (June 10, 2014 Supplement). We do not understand how you calculated that figure. **Please explain, or correct that estimate.***

- Affidavit or declaration. Your new submission must contain a detailed, full showing, supported by a signed and sworn affidavit or signed declaration made under penalty of perjury attesting to the truthfulness and accuracy of the information and representations contained in your submission. An affidavit is a written statement made under oath, before an official who is authorized to administer oaths, such as a notary public or county clerk. A declaration is a written statement made under penalty of perjury, such as "I declare under penalty of perjury that the information contained in this submission is true and correct." (See 47 C.F.R. § 1.16.) The affidavit or declaration must be dated.

Because of the public nature of FCC proceedings, your submission, as well as any supporting financial or other information provided, will be available for inspection by the general public. If your submission contains some specific information that you would like not to be made routinely available for public inspection, you may request its "confidential treatment", pursuant to FCC rules. (See 47 C.F.R. § 0.459.) If you seek such treatment, you must identify the *specific* information which you would not like to be made available to the general public and provide the basis for your request, for example, that the information is proprietary financial information, contains a trade secret, or is legally privileged. Also describe how disclosing the information to the general public may cause you substantial competitive harm. You must also submit a second version of your submission with the confidential information redacted (removed or blacked out). This second version must be submitted along with your request for confidential treatment. The redacted version (*i.e.*, the version that does not contain the confidential information) will be disclosed publicly. If your request for confidential treatment is granted, the "public version" of your submission must still contain sufficient documentation to support your claim that closed captioning would be economically burdensome. This documentation is needed so that members of the public have notice of the basis for your exemption request and can comment on its merits.

If the Bureau determines that your Petition, as supplemented by your response to this letter, provides sufficient information upon which to make a determination of whether or not to grant a closed captioning exemption, we will place your Petition on public notice under Docket No. 06-181 at <http://fjallfoss.fcc.gov/ecfs>. Members of the public will then have 30 days to file comments on and/or oppositions to your Petition, including the supplemental information you have provided in response to this letter, after which you will have 20 days to respond. At the end of this timeframe, the Bureau will review your Petition, along with any comments and responses received, to determine whether you have demonstrated that providing closed captions would be economically burdensome. If Bureau denies your Petition, you will have 90 days from the date of your notification of the denial to begin captioning.

If you do not supplement your Petition with all of the updated information and documentation requested in this letter within 30 days of the date of this letter, we will conclude that you have failed to support your exemption request with adequate explanation and evidence, and

will dismiss your Petition. In the event of such dismissal, your organization will be required to begin providing closed captioning for your program(s) within 90 days of the date of our notification to you that your Petition has been dismissed.

If you have questions pertaining to this letter or the information and materials requested herein, please contact the FCC's Disability Rights Office at captioningexemption@fcc.gov.

A handwritten signature in blue ink, appearing to read "E. Elaine Gardner", is positioned above the printed name.

E. Elaine Gardner
Attorney, Disability Rights Office
Consumer and Governmental Affairs Bureau

cc: Consumer Groups

Instructions for Filing a Supplement to a Closed Captioning Exemption Petition

As of April 30, 2014, you must send the FCC your supplemental information by e-mail to captioningexemption@fcc.gov. Petitions and supplemental materials may not be filed directly on the FCC's Electronic Comment Filing System (ECFS) or by U.S. mail. At this time, the FCC's e-mail system does not accept attachments in the form of .ZIP files or file sizes larger than 13.3 megabytes. If a petitioner has concerns that its file size will exceed this limitation, please contact captioningexemption@fcc.gov. Because the FCC will upload petitions and any supporting information and documentation to ECFS, petitioners must follow the ECFS document format guidelines (<http://apps.fcc.gov/ecfs/userManual/upload/documents.jsp>) when sending petitions, supporting information, and documentation via e-mail. For more information about this electronic filing procedure, visit <http://www.fcc.gov/encyclopedia/economically-burdensome-exemption-closed-captioning-requirements>.

You must include your case identifier number, which is located at the top of this letter, and CG Docket Number 06-181 in all correspondence with the FCC regarding your petition.